

U.S. 10/565,203  
In re Fremerey  
Docket No: 26202.460

**REMARKS**

The amendments set out above and the following remarks are believed responsive to the points raised by the Office Action dated March 19, 2008 and discussed at the interview June 12, 2008. Reconsideration is respectfully requested.

Claims 1-7 are pending. Claim 1 has been amended to describe the invention more clearly. No new matter has been added, the basis for the amended claim language may be found within the original specification, claims and drawings.

Claims 1-6 were rejected under 35 U.S.C. §102 as anticipated by Suwa. Claim 7 was rejected under 35 U.S.C. §103(a) as being unpatentable over Suwa in view of U.S. Patent No. 6,250,577 to Koenig.

At the interview, Applicants' attorney discussed the nature of the present invention and the disclosure of the cited "Suwa" reference. In particular, it was submitted that the "Suwa" reference teaches an annular magnet including segments that are in contact with the adjacent segments, in contrast with the present invention. Applicants proposed amending the claims to more clearly recite that the segments of the present invention are spaced and not in contact with one another. The Examiner agreed such claims would be patentably distinguishable over Suwa.

Accordingly, the pending claims have now been amended to define that the magnetic bearing element comprises at least one annular permanent magnet divided in a circumferential direction into a plurality of segments, wherein the plurality of segments are not in contact with adjacent segments. Since Suwa fails to disclose or suggest such a magnetic bearing element, it is respectfully submitted that the rejections should be withdrawn.

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If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided below.

Respectfully submitted,

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